



## DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

**ErbB RECEPTOR METHODS AND KITS FOR MONITORING CHEMOTHERAPY RESISTANCE**

and for which a patent application:

is attached hereto and includes amendment(s) filed on (if applicable)

was filed in the United States on February 2, 2006 as Application No. 10/567,702 (for declaration not accompanying application) with amendment(s) filed on February 2, 2006 (if applicable)

was filed as PCT international Application No. PCT/US2004/025545 on February 5, 2004 and was amended under PCT Article 19 on (if applicable)

I hereby authorize and request the attorneys at Jones Day to insert herein parentheses (Application No. \_\_\_\_\_ filed \_\_\_\_\_) the filing date and application number of said application when known.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
PCT/US2004/025545	PCT	August 5, 2004	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112. I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

\* For use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME KIM	FIRST NAME Richard	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Boston	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP United States of America	
	POST OFFICE ADDRESS	STREET 675 Tremont Street, #4	CITY Boston	STATE OR COUNTRY Massachusetts	ZIP CODE 02118
	SIGNATURE OF INVENTOR 201 <i>Richard Kim</i>			DATE 7/24/06	
2 0 2	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 202			DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 203			DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 204			DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 205			DATE	



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Richard KIM

Confirmation No.: 3898

Serial No.: 10/567,702

Art Unit: To be Assigned

Filed: February 2, 2006

Examiner: To be Assigned

For: ErbB RECEPTOR METHODS AND KITS  
FOR MONITORING CHEMOTHERAPY  
RESISTANCE

Attorney Docket No.: 6750-189-999  
CAM No.: 305158-999187

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71  
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71.

Please direct all correspondence for this application to Customer no. 20583.

**Statement Under 37 C.F.R. 3.73(b)**

states that it is:

the assignee of the entire right, title, and interest; or  
 an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is      %

in the patent application/patent identified above by virtue of either:

An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office on  
at Reel      , Frame      , or for which a copy thereof is attached.

OR

A chain of title from the inventor(s), of the patent application/patent identified above,  
to the current assignee as shown below:

1. From: To:

The document was recorded in the United States Patent and Trademark Office on  
at Reel      , Frame      , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

3. From: To:

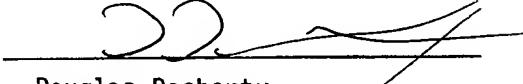
The document was recorded in the United States Patent and Trademark Office on  
at Reel , Frame , or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.  
[Note: A separate copy (i.e., the original assignment document or a true copy of the  
original document) must be submitted to Assignment Division in accordance with 37  
CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See  
MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: EURO-CELTIQUE, S.A.

Date: 9 August 2006 Signature:   
Typed Name: Douglas Docherty  
Position/Title: Director

SOLE

ASSIGNMENT

WHEREAS, I, Richard Kim, ASSIGNOR, citizen of the United States, residing at 675 Tremont Street, #4, Boston, MA 02118, am the inventor of the invention in

**ErbB RECEPTOR METHODS AND KITS  
FOR MONITORING CHEMOTHERAPY RESISTANCE**

for which I have executed an application for a Patent of the United States

which is executed on  even date herewith or   
 which is identified by Jones Day docket no. 6750-189-999 (CAM No. 305158-999187)  
 which was filed on February 2, 2006, Application No. 10/567,702

and WHEREAS, **EURO-CELTIQUE S.A.**, organized and existing under the laws of the state of Luxembourg, and having an office for the transaction of business at 122 Boulevard de la Petrusse, L-2330 Luxembourg, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner for Patents and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further agree to sign from time to time additional declaratory documents confirming the invention and purport of this assignment document to allow **EURO-CELTIQUE S.A.** to obtain registration as owner of such patent rights in the invention throughout the world.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year set opposite my signature.

Date August 7, 2006, 2006 Richard Kim L.S.  
Richard KIM

WITNESS:

Linda M. Cassetta

(Printed Name)

Linda M. Cassetta